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**From:** Chapman, Apple [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C52A18BCF6164B6D9F04545DB694CAC1-ACHAPMAN]  
**Sent:** 8/3/2018 7:38:07 PM  
**To:** Dykes, Teresa [Dykes.Teresa@epa.gov]; Fried, Gregory [Fried.Gregory@epa.gov]  
**Subject:** RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Thanks. Let me know what happens. Can they reject the request? What if any recourse do we have if they do?

*Ms. Apple Chapman* | Deputy Director, Air Enforcement Division | U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW, Washington DC, 20004 | 202-564-5666 (office) | 202-841-6076 (mobile) |

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**From:** Dykes, Teresa  
**Sent:** Thursday, August 02, 2018 11:27 AM  
**To:** Chapman, Apple <Chapman.Apple@epa.gov>; Fried, Gregory <Fried.Gregory@epa.gov>  
**Subject:** FW: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

FYI- This is the MM2A re-proposal of the 2007 proposal. Re-tiering to Tier 1 or 2 will help get OECA's comments on the final rulemaking.

Terri Dykes  
Senior Attorney  
Office of Enforcement and Compliance Assurance  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
202.564.9883

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**From:** Bartlett, Keith  
**Sent:** Thursday, August 02, 2018 10:46 AM  
**To:** Farrar, Wanda <[farrar.wanda@epa.gov](mailto:farrar.wanda@epa.gov)>  
**Cc:** Ayres, Sara <[Ayres.Sara@epa.gov](mailto:Ayres.Sara@epa.gov)>; Dykes, Teresa <[Dykes.Teresa@epa.gov](mailto:Dykes.Teresa@epa.gov)>; Adams, Darryl <[Adams.Darryl@epa.gov](mailto:Adams.Darryl@epa.gov)>; Brown, Stephanie N. <[Brown.StephanieN@epa.gov](mailto:Brown.StephanieN@epa.gov)>; Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Wanda, I wanted to give you a heads up that OECA is formally requesting that OAR uptier this rule. I will submit our justification through ADP Tracker, per instructions from OP.

Thank you –

Keith

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**From:** Farrar, Wanda  
**Sent:** Thursday, July 19, 2018 12:46 PM  
**To:** Bartlett, Keith <[Bartlett.Keith@epa.gov](mailto:Bartlett.Keith@epa.gov)>  
**Cc:** Ayres, Sara <[Ayres.Sara@epa.gov](mailto:Ayres.Sara@epa.gov)>; Dykes, Teresa <[Dykes.Teresa@epa.gov](mailto:Dykes.Teresa@epa.gov)>; Lamson, Amy <[Lamson.Amy@epa.gov](mailto:Lamson.Amy@epa.gov)>; Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Adams, Darryl <[Adams.Darryl@epa.gov](mailto:Adams.Darryl@epa.gov)>  
**Subject:** RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Good Afternoon Keith,

Does your management want this action re-tiered? I am unaware of any ADP requirements to do so. (OP, please "chime in" if there is.) If tier level is a concern, a tier change request is an option. We have no problem adding interested offices to this workgroup. Please let me know if your office has a request that should be presented to our management.

Many thanks,  
Wanda

From the desk of:  
Wanda Farrar

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**From:** Bartlett, Keith  
**Sent:** Thursday, July 19, 2018 11:01 AM  
**To:** Farrar, Wanda <[farrar.wanda@epa.gov](mailto:farrar.wanda@epa.gov)>  
**Cc:** Ayres, Sara <[Ayres.Sara@epa.gov](mailto:Ayres.Sara@epa.gov)>; Dykes, Teresa <[Dykes.Teresa@epa.gov](mailto:Dykes.Teresa@epa.gov)>  
**Subject:** RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Wanda, thank you for this information.

I don't understand the rationale for both not re-tiering a rule from 2007, and for keeping a rule a Tier 3 so that it can proceed on a certain predetermined schedule. Whose schedule? The Rule itself should dictate the Tier, regardless of the need to get a rule out the door on some predetermined schedule.

Will OAR answer that question?

I am happy to discuss –

Keith

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**From:** Farrar, Wanda  
**Sent:** Thursday, July 19, 2018 10:39 AM  
**To:** RSC Core <[RSC\\_Core@epa.gov](mailto:RSC_Core@epa.gov)>  
**Subject:** Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Good Day RSC,

OAR has received questions re: SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In. This is a re-proposal of the 2007 proposal. OAR staff has been working w/the workgroup since April of this year. When work was re-started on this action, the need to keep this action as a tier 3 in order to keep on schedule was discussed. However, OAR agreed to provide the workgroup information and input, including review of the draft proposal prior to moving to OMB. The kick-off meeting was on 4/12/18 and subsequent meetings were on 5/10/18 and 6/14/18. Our next meeting is scheduled for 08/09/18. In addition to the monthly meetings with the ADP WG, we have had multiple focused meetings between OAQPS, OGC, and OECA. (Our meetings have included from OECA- Sara Ayres and Theresa Dykes. Sara has been working with us on the compliance aspects of our proposal while Terri has been working with us on the enforcement aspects.)

If there are questions or concerns, please email to me. Thank you!

Wanda

Workgroup Members (please provide any updates):

Sara Ayres, Teresa Dykes, OECA

Scott Jordan, OGC

Barry Elman, OP

Susan Lancey, R01

Lee Page, Yolanda Adams, R04

Ward Burns, R07

NESHAP Amendment: General Provisions for Once In Always In - IBM Lotus Notes

File Edit View Create Actions Section Tools Window Help

Wanda Farrar - Mail ADP TRACKER Replication and Sync NESHAP Amendment: General Provisions...

Close Print Edit Document Reg Reporting Workgroup New Side Agreement New Tier Change Request New Comment Help Admin

**NESHAP Amendment: General Provisions for Once In Always In**  
SAN: 4908 | RIN: 2060-AM75  
OAR/OAQPS/SPPD  
Tier 3 Regulation  
DMR: Supplemental NPRM - Significant (confirmed)

**Action Information**

TRACKER Status: Development SAN: 4908  
RIN: 2060-AM75

Action Type: Regulation  
AAShip: OAR Division: SPPD  
Office: OAQPS Branch: PSG  
Working Title: NESHAP Amendment: General Provisions for Once In Always In  
Full Title: Reclassification of Major Sources as Area Sources Under Section 112 of the CAA

**Tiering**

Tier Status: Approved Tier Approval Date: 10/3/2004  
Tier Level: 3

**Regulatory Reporting**

Reg Agenda?: Yes

**Action POCs - Elineth Torres, Debra Dalcher**

Primary POC: Elineth Torres (OAR/OAQPS/SPPD/PSG): 919-541-4347  
Secondary POC: Debra Dalcher (OAR/OAQPS): 919-541-2443

**Internal Abstract:**  
These amendments would address when a major source can become an area source, and, thus, become not subject to national emission standards for hazardous air pollutants (NESHAP) for major sources under Clean Air Act (CAA) section 112. The amendments will implement the EPA's plain language reading of the CAA section 112 definitions of "major" and "area" sources as discussed in the January 2018 William Wehrum memorandum titled "Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act." (See notice in 83 FR 5543, February 6, 2018.) This action will provide an opportunity for interested persons to provide comment on many of the same issues covered in the 2007 NESHAP General Provision Amendments (72 FR 69, January 3, 2017).

1 document selected

Office (Network) 9:48 AM 7/19/2018

From the desk of:

Wanda Farrar